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OUR COUNTY LEGISLATORS

Continued from last week.

Upper Woodstock, June 20th.
On motion the sheriff was heard. He said at first he was opposed to the idea of a fence, but had become convinced that one was now necessary. It was simply impossible to be around that building all the time night and day. He had seen the time before the ground was leased, before the band played there, that there were so many people around it was necessary to have a fence. It was surprising how many men, not only boys, came about the jail from the town and county. He had taken some of them inside and locked them up, but that did not prevent them. It is a great source of nuisance. It was not his wish that his name should appear in the resolution.

Coun Bailey—Is it worse since the band people are there?
Sheriff—No, I don't think it is. There seems nothing so attractive as a jail where people are. I refer to an instance that happened 10 or 12 days ago. We had a man sent up for trial. My wife and I went out for a little drive in the afternoon. I locked every door in the jail and when we came back the prisoner was gone. His wife had come up, and some of them handed in a bar and he pried open the door, got into the debtor's quarters, the door of which has never properly closed, and escaped.

Coun McDonald—It was my suggestion that the sheriff should have the say about what kind of fence should be put up.

Coun Phillips (Peel)—I do not think you could build a fence that could not be scaled, and a bar or some instrument can be handed in, and a prisoner helped to escape. I would favor some sort of an iron shutter that you could lock down in such a way that no one from the outside could see the prisoner.

Coun Connolly—The prisoner has gone and perhaps the county is well rid of him. If it is necessary to have a fence I am of the opinion that some sort of wire fence would be preferable to a board fence.

Coun Lamont—I never saw the fence I could not get through in two or three minutes. It would be easy to take nippers and snap the wire. Heavy woven shutters those from

outside or inside could not be got through. There is more light in that jail than in hundreds of houses in the county, and I do not think the shutters would deprive the prisoners of anything they are entitled to.

Coun Bailey—I understand the sheriff does not ask for the fence to prevent prisoners from escaping but to keep curious people from walking in there.

Coun Williams favored a 19 strand wire fence about 7 feet high with a barbed wire at the top.

Coun Smith—There would be about 8 rods to be fenced on each side.

Coun Carvell—20 rods would do it all.

Coun Smith would favor a fence 10 feet high and the matter to be left in the hands of the chairman of the building committee.

Coun Williams moved that the building committee put up a fence of the class described seven feet high with barbed wire on top. Motion carried.

James Irving was appointed a poor-master for Peel in place of Robert Irving, his brother.

Harrington Smith was appointed a constable and J. W. Smalley a hog reeve etc for Peel.

The following memorial from James Miller of Aberdeen was read:—
"To the Warden and Council of the Municipality of Carleton in Council Assembled:

May it please your Worships. Memorial of James Miller of Aberdeen humbly sheweth that the said petitioner had been unduly and unlawfully assessed on property in the parish of Aberdeen by the assessors of the said parish as can be clearly proven by the records in recording offices for the years 1902, 1903, 1904, 1905.

Appeals have been made and statements furnished as by law directed as to property owned by said petitioner. Appeal has been made to the board of valuers, admitted by them as by law directed, decision by them, no injustice done James Miller. In their report to me it is only signed by two of the board and differs greatly from the report furnished by your worshipful body, as one of the board was a defendant in the case and could not act. In proof of my claim compare Assessors' list for 1904-05 in the sec-treas hands and you will find that two of the same

assessors have acknowledged that there was under their signature, compare J. R. Ronald and James Miller assessment and search record there.

There certainly must be an injustice done some of us. Therefore your memorialist desires such action taken in the case as British justice and fair play demand, for if officers can assess property in such a manner it is not safe to live in this country as they could financially ruin a person.

And in duty bound will ever pray
Sgd. JAMES MILLER.
Glassville, June 19th 1905.

Mr Miller, being present, was on motion heard in support of his petition. He claimed he was assessed on lands he never owned. He wanted the council to say whether he was right or wrong.

A councillor asked if he saw the list when the assessment was posted. Mr Miller—Yes and I put my statement. They did not ask me for a sworn statement.

Coun Phillips—I cannot understand what you want this board to do.

Mr Miller—I want to know whether I was taxed lawfully or not.

Coun Lamont—Mr Miller has a house and lot in the village of Glassville where he lives. This farm in dispute is down the road about a quarter of a mile. He has worked the farm but never had a deed of it. He is assessed on the place he lives on and this farm. It is all assessed together.

Coun Smith—who had the proceeds from the farm.

Mr Miller—We had an arrangement between ourselves as a family. The property should be assessed to Hugh Miller.

Coun Bailey said that the council did not know anything about the matter. He suggested that a committee be appointed to confer with Mr Miller and the two councillors from Aberdeen and report to the council in the afternoon.

Coun Wiley thought there were other parties who should be heard in the matter, if there were to be an investigation.

The motion to appoint a committee carried and the following were named:—Couns Shaw, Williams and Raymond.

Coun adjourned for recess.

After dinner the council went into committee of the whole on the accounts with Coun Bailey in the chair. The following accounts were ordered paid (as explained):

H E & J W Gallagher \$9 50
Press Printing Co 63 00
Dispatch 5 30
Sentinel 1 50
W A Hayward (sheriff) 310 00

This bill included an item of \$200 for the execution of Cammack.

Coun Phillips (Peel) think the bill of \$200 is a little excessive money for which he was appointed. I would not act as hangman for any money, but if I was high sheriff I would do the work for nothing.

The Warden—You must take into consideration the surrounding circumstances.

Coun Phillips—I cannot vote for it if he was actually out of pocket. I would be willing to make it all right. We are here to look after the people's rights, and this looks to me like throwing away the people's money.

The sheriff was in the office of Coun Gibson, heard. Sheriff Hayward—I don't think mortal tongue can describe what that work I had to do means, in its entirety. As regards these two executions (Gee and Cammack) I am now out \$50 in money.

paid Radcliffe \$100 to execute (Gee). I did not know how to do it. My friends advised me to employ Radcliffe. I paid him the \$100 and I am minus that. You paid me \$50. Some people think I get a great deal out of my office as sheriff. I will take \$10 for all I have got each year over \$500.

Coun Connolly—The sheriff had to summon grand juries for the county court. Before the days of County Court Commissioners the sheriff could try cases up to \$80.

That source of revenue is all done away with now, and there is not as much litigation there as in the past. I could not begin to tell you in regard to this matter of hanging people. I could not explain it in its awfulness. I know it was my duty to do this work, I did not shrink from my duty. Now I ask for \$200 for the while thing. If you are going to back me up I will fill me with discouragement and I will feel that the county is not back of me. Two weeks before the hanging of Cammack, I thought I would die, I did not think I could do it at all. While you were in your bed sleeping I was tossing in my bed with the cold sweat on my brow. Really I do not think you can remunerate me for what I did last winter. What is the good of our laws if they are not going to be enforced. What encouragement do we have when these crimes are committed?

Coun Phillips, Peel That is the duty of the sheriff's office. As regards the bill of last January, if the sheriff had put in for \$100 I would have voted to pay him that amount.

Coun Bradley—Only last January this came up and I was opposed to paying it. I understand the sheriff thinks I opposed it on account of some ill-feeling towards him. That is not the case. I opposed it as a question of principle. It is the sheriff's duty to execute criminals. I believe it was not the intention of the law that one man should receive pay for taking the life of his brother man.

I am sorry the sheriff has brought this before the board. It is easy to say pay this and pay that.

In 1891 a hail-storm swept over part of this county. It destroyed all the crops in its path, broke the glass out of the windows. When the harvest came these people gathered in the stubble. Some of them sold their stock and so got through the winter. In the spring they planted seed again. In 1892 another hail-storm swept over them and took everything again. They never came to this board to ask one dollar of help. Can you pay this bill conscientiously?

Coun Smith—Yes.

Coun Bradley—We will be doing the ratepayers an injustice by doing this. I would not be afraid to run an election on that issue.

Coun Gallagher—The sheriff is supposed to have his fees. The law does not expect that he shall do work and not be paid for it. It is not just nor generous to ask the sheriff to do this

work and not pay him for it. I move in amendment that the bill be paid less \$50.

Coun Hay seconded the amendment. Coun Connolly—I had something to say in January about the sheriff's bill. I said I would be willing to add \$50 to the bill last year. I believe like this, pay him what he paid out last year and give him \$50 for this execution.

I move in amendment to the amendment that the bill be paid less \$100. Coun Ambers Gibson seconded this motion.

Coun Tompkins—I think we should try to do justice between the people who send us here and the public officials. I have a certain consideration for the officials when they have the tasks to perform. There are wounded feelings and we cannot make any less painful by money offers. I feel that we should not pay any more than the sheriff is out. I do not think the people who send us here would be satisfied if we paid everything at the face as it comes before us.

Coun Phillips (Peel)—I will support the amendment of the amendment. The sheriff will get \$50 for the suffering he went through. In the two years referred to by Coun Bradley I lived in the district and had everything swept from me by the hail. The local government offered us \$100. I got a piece, I am proud to say not a man accepted it. We went through greater sufferings than the sheriff did. Last year I sold \$700 off my farm, those years I had to buy.

Coun Carvell—You are all aware that the sheriff had to pay Radcliffe \$100 out of his own pocket, he put in a bill for that and \$50 for his own services. The bill was cut down \$100.

At the same session a resolution was passed instructing the sec-treas to pay bills ordered by the judge of the county or supreme court or the atty-general. Probably you are aware that if the atty-general had made an order this bill would have been paid and we could not dispute it. I know that the sheriff refused to take this step and has again presented his bill. This present bill simply covers the \$100 he lost and \$100 for the work he did in January. If we pass any of the amendments he will get that, and the balance on an order from one of the judges or the atty-general. I am going to support the original motion. I would not take \$500 and have gone through what the sheriff went through.

Coun Lamont asked the opinion of the sec-treas on the matter.

Mr Hartley—By the resolution of last session, if the atty-general would certify that this bill is correct, I would have to pay it.

The Sheriff—I would rather have \$100 from this board than \$200 by order of the atty-general.

Coun Shaw—I intend to vote for the original motion. I do not think it is a bit too much. A great many people have the impression that the sheriff's bill is excessive. I would vote for this bill even if I thought my constituents were opposed to it for I believe it fair, and I would not be under the lash of my constituents enough to make me vote for what I thought was not right.

Coun McDonald—There is an impression in the country that the sheriff gets a salary. He gets no salary at all. He is not expected by the law to serve any paper or travel any miles without being paid for it. He gets remuneration for the work he does. If there were not anything in the office we would not get a good man to serve in it. I think we should do right by the sheriff.

Coun Bradley—The law sets forth what he shall get for his services. It seems there is no provision in the law for cases of this kind. There was a man hung in Edmonton 50 years ago and one in Fredericton 70 years ago, and the work was done well, as it was done successfully this last time.

A councillor—Was not the sheriff paid for these cases?

Coun Bradley—I don't know. Within three miles of where the sheriff was born there are little children who step out of the door barefooted, they must pay their share of this tax.

Coun Carvell—How much would these barefooted children have to pay on this tax?

Coun Bradley—Perhaps two cents would be as much to them as five dollars to him.

Coun Carvell—Would they have to pay two cents?

Coun Bradley—I don't know.

Coun Bailey—I don't think it is right that the sheriff should pay this money out of his own pocket. If it is worth anything to do the job it ought to be worth \$100. There is the point Coun Carvell has brought up as to the sheriff getting an order from the Attorney General. I do not say he would do it.

Coun Connolly—I think we would have something to say as to that. Has the Attorney General power to control Carleton County? According to that doctrine he could give an order for \$1000.

Coun Brown—I voted last year for the payment of \$50 and I was afterwards ashamed of it. I think the sheriff should be paid the amount he paid Radcliffe. I do not see any use paying two men to do one man's work. If we pay this \$200 have we any guarantee that he would not get what he paid to Radcliffe.

The sheriff—You have my word for it. I give you my word.

Coun Brown—I intend to vote for the amendment.

Coun Williams—I am not ashamed of my vote last winter. If there had been an amendment to give him nothing I would have voted that way. The reason is that there is no law that says we shall pay the sheriff anything for doing this work. He is

(Continued on sixth page.)

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